

REMARKS

This Election is made in response to the Restriction Requirement mailed September 26, 2008 in which applicant was required to elect one of two groups of claims identified by the Examiner.

The Applicant elects the Group I claims 1-11 and 18-26, with traverse.

The applicant traverses the Restriction Requirement for the following reasons.

The invention relates to a method, system, mobile station, mobile switching center and software element that is capable of restricting received data in a certain receiving mobile device being defined by a call divert command from a data transmitting device. This allows selective establishment of active connections between said devices in order to reduce data communication load of the receiving mobile device, because data transmission from the data transmitting device defining the call divert command is only received by the receiving mobile device and all data transmission from other data transmitting devices is redirected further to a predetermined receiving device. See specification from page 2, line 29 to page 3, line 16.

In a method, system, mobile station, mobile switching center and software element according to the invention, there is an identifying element for identifying the data transmitting device from which a call divert command is defined and a receiving element for receiving the data from the data transmitting device if the data transmitting device is identified or a transmitting element for transmitting (i.e. redirecting, redefining, rerouting) the data further to the predetermined receiver device if other device than the data transmitting device is identified. See specification from page 3, line 10, to page 4, line 29.

At the above mentioned elements, namely identifying, receiving and transmitting elements are essential features in a method, system, mobile station, mobile switching center and software element according to the invention. The functionality of identifying, receiving and transmitting elements may locate in a mobile switching center, network terminal (e.g. mobile phone) or network gateway bus as disclosed on page 3, lines 24-31. A mobile switching center, network terminal (e.g. mobile phone) and network gateway bus are network elements in a mobile network are known to the skilled person in the art. The call diversion process according to the invention is executed within the network in all cases above. The call diversion only within the mobile station does not have any sense if the mobile station is not connected to any mobile network as a network terminal, as a matter of fact the idea of call diversion within the isolated mobile station is inoperative.

In accordance to above the invention disclosed in claims 1-26 have a single general inventive concept, and therefore the Restriction Requirement is traversed.

Respectfully submitted,



Francis J. Maguire
Attorney for the Applicant
Registration No. 31,391

FJM/mo
WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, Connecticut 06468
(203) 261-1234